

REMARKS

With entry of this amendment, claims 2, 3, 14, and 24-40 have been cancelled, and claims 94-112 have been newly added. As a result, claims 1, 4-13, 15-23, and 94-111 are pending in this application. Based on the foregoing amendments and following remarks, reconsideration and allowance of this application is respectfully requested.

Claim Rejections-35 U.S.C. §102

Claims 1, 5, 8, 9, and 11-13, and 15-24 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,409,722 ("Hoey"). Applicant respectfully traverses this rejection, since Hoey does not disclose each and every element required by these claims, as amended.

In particular, independent claim 1 has been amended to include the "perfusion control valve" limitation of now-cancelled claim 3, which the Examiner indicated as being allowable. Independent claim 15 was amended to require the size of at least one perfusion port to be changed based on the sensed tissue parameter to control the amount of infused perfused through the at least one perfusion port, which limitation is not disclosed in Hoey.

Thus, Applicant submits that independent claims 1 and 15, as well as the claims depending therefrom (claims 5, 8, 9, and 11-13, and 16-24), are not anticipated by either of Hoey, and as such, respectfully request withdrawal of the rejections of these claims.

Claim Rejections-35 U.S.C. §103

Claims 4, 6, 7, and 10 stand rejected under 35 U.S.C. §103 as being obvious over various combinations of Hoey, U.S. Patent Nos. 5,697,927 ("Imran"), 6,613,047 ("Edwards"), and 7,166,105 ("Mulier"). Applicant respectfully traverses this rejection, since

no proper combination of Hoey, Imran, Edwards, and Mulier discloses, teaches, or suggests the combination of elements required by these claims, as amended.

In particular, as discussed above, Hoey does not disclose the specific perfusion control limitations of independent claim 1 from which these claims depend, and Imran, Edwards, and Mulier do not supplement this failed teaching.

Thus, Applicant submits that claims 4, 6, 7, and 10 are not obvious in view of Hoey, Imran, Edwards, and Mulier, and as such, respectfully request withdrawal of the rejections of these claims.

New Claims

Applicant submits that newly added claims 94-112 are supported by the specification, as originally filed, and are patentable over the cited prior art. Notably, claims 94-98 depend from independent claim 1, which is believed to be allowable as discussed above, and claims 99-112 incorporate specific perfusion controller features similar to those recited in now-cancelled, but allowable, claim 3.

Conclusion

Based on the foregoing, it is believed that all claims are now allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (949) 724-1849.

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Respectfully submitted,

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